

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Francis C. Peterson)	Confirmation No. 5677
)	
Appln. No.: 10/538,812)	
)	
Filed: December 7, 2005)	
)	
For: PICTURE HANGER)	This Declaration was electronically filed on
FOR USE WITH)	December 3, 2007 using the USPTO's
GYPSUM BOARD AND)	EFS-Web.
INSTALLATION TOOL)	
THEREFORE)	
Group)	
Art Unit: 1772)	
)	
Examiner: Alexander S. Thomas)	
)	
)	
Docket No.: 7836-79837)	
)	
Cust. No.: 22242)	

DECLARATION UNDER 37 C.F.R. §1.131

1. I am Francis C. Peterson, the inventor of the subject matter of the claims in the above-identified application.

2. I am advised by my attorney that certain of those claims have been rejected on the ground that their subject matter is disclosed in U.S. Patent No. 6,830,228 to Richard J. Ernst. It is the purpose of this declaration to establish that I completed the invention set forth in those rejected claims in the United States before March 21, 2002, the filing date for the Ernst patent.

3. Attached hereto is a page from my research notebook in which I sketched and described my conception in the United States of two different hangers for use in drywall. The upper sketch shows a hanger which I did not pursue. The lower sketch shows the hanger which is the subject matter of the rejected claims in this application.

4. The lower sketch is entitled "Pitcure Hook" (sic), and depicts a view of a "blank", as well as three views of the formed hook. In the right hand view, the hook is shown in two positions.
5. In the first (lower) position, the hook is depicted held against a section of drywall. An arrow pointing to the curved anchor has the instruction "Press or tap". In the second (upper) position the hook is shown after being tapped into the drywall. Another instruction states: "to Remove Rotat (sic) with Plyers (sic)".
6. Subsequently I reduced my invention to practice by having the hook manufactured. I gave my dimensioned sketch to Mr. Karl Sonntag, an owner of Zohne Industries located at 17 9th Street, Oakville, CT, with instructions as to how to make a commercial embodiment of the hook.
7. Mr. Sontag complied with my instructions, and provided me with hooks which I tested by tapping them into a section of drywall. They performed satisfactorily and in exactly the way shown in my sketches.
8. All of these events took place prior to March 21, 2002.

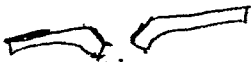
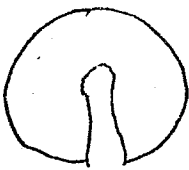
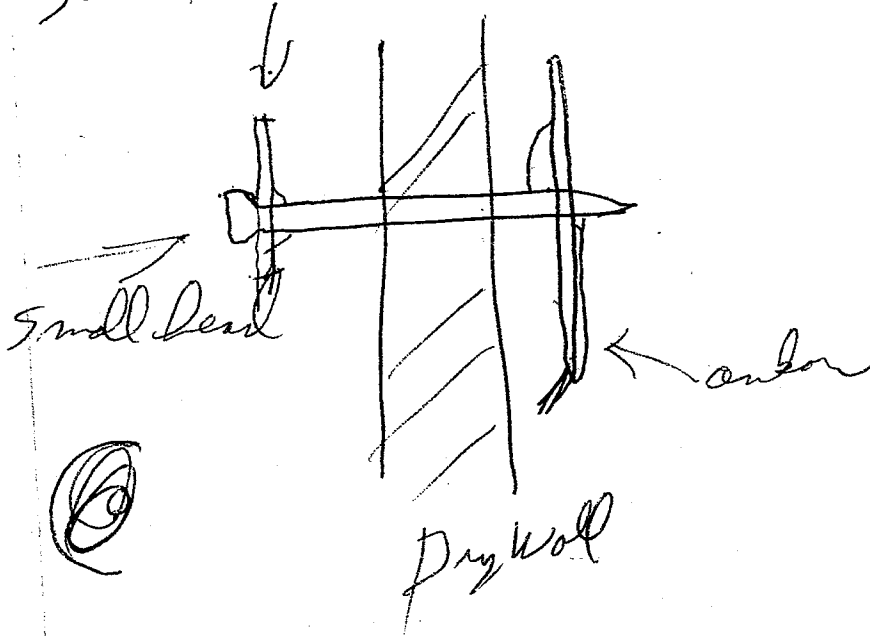
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity or enforceability of the application or any patent issued thereon.

Date:

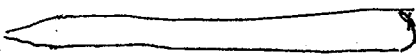
11/23/07

Francis C. Peterson
FRANCIS C. PETERSON

5 hole washer



Picture hook



Blank



Press
or Tap
to Remove Rbt
with Pliers

